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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/025,423	12/18/2001	Ronald N. Zuckermann	16141.003	6469

7590 01/24/2007  
Attn: David P. Lentini  
Chiron Corporation  
P. O. Box 8097  
Emeryville, CA 94608

EXAMINER
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WESSENDORF, TERESA D

ART UNIT	PAPER NUMBER
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1639

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
30 DAYS	01/24/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

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PAPER

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**Commissioner for Patents**

The reply filed on 10/23/2006 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): the species restriction is unclear as to the elected species. The election of the species should define the species for each of the different variables. The restriction/election of the species does not define the species for each of the elected variables. For Ra a lipid moiety is not a species. For a proper species election, a species of the genus lipid should be elected e.g., cholesterol (see e.g., page 12 of the instant specification) connected to a species of a linker moiety (not a generic linker). The elected definition for Rb should not be a selection of either an alkyl or aralkyl. If alkyl is elected, then the kind of alkyl is specifically identified e.g., methyl or ethyl or propyl and etc. substituted with a specific substituent of amino group, not in the alternative as claimed. If aralkyl is elected a specific aryl with a specific substituted alkyl (e.g., C1-C3 etc)--oxy group. See 37 CFR 1.111. Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to T. D. Wessendorf whose telephone number is (571) 272-0812. The examiner can normally be reached on Flexitime.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Schultz can be reached on 571 272-0763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Tdw  
January 13, 2007

*T.D. Wessendorf*  
T. D. Wessendorf  
Primary Examiner  
Art Unit: 1639